

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

AGERE SYSTEMS, INC., et al.,

Plaintiff,

v.

ADVANCED ENVIRONMENTAL  
TECHNOLOGY CORPORATION, et al.,

Defendants.

CIVIL ACTION NO.  
02-cv-3830 (LDD)

**HANDY & HARMAN TUBE COMPANY, INC.'S MOTION  
FOR LEAVE TO FILE REPLY BRIEF**

Defendant, Handy & Harman Tube Company, Inc. ("H&H Tube"), by and through its undersigned counsel, Carella, Byrne, Bain, Gilfillan, Cecchi, Stewart & Olstein, hereby moves for leave to file a reply memorandum in support of its motion for summary judgment against plaintiffs Agere Systems, Inc., Cytec Industries, Inc., Ford Motor Company, SPS Technologies, LLC and TI Group Automotive Systems, LLC ("Plaintiffs"). In support of this motion, H&H Tube avers as follows:

1. On July 17, 2007, H&H Tube filed its motion for summary judgment.
2. On July 31, 2007, Plaintiffs filed its opposition to H&H Tube's motion for summary judgment.
3. Pursuant to Local Civil Rule 7.1(c), H&H Tube seeks leave to file a reply memorandum together with a supporting reply declaration, copies of which are submitted herewith, to respond to the erroneous factual statements and arguments made in Plaintiffs' opposition.

4. H&H Tube believes that this reply memorandum and supporting reply declaration will significantly aid the Court in ruling on the motion for summary judgment.

5. Pursuant to Local Civil Rule 7.1(f), H&H Tube requests oral argument.

WHEREFORE, Handy & Harman Tube Company respectfully requests that the Court consider the attached reply memorandum and supporting reply declaration and to consider the memorandum and reply declaration filed as of the date of the filing of this motion.

Respectfully submitted,

CARELLA, BYRNE, BAIN, GILFILLAN,  
CECCHI, STEWART & OLSTEIN

By: MF1386  
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Attorneys for Defendant,  
Handy & Harman Tube Company, Inc.

Dated: August 31, 2007

### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this date caused true and correct copies of the attached Motion for Leave to File Reply Memorandum to be served on all counsel of record via email and first class mail, postage prepaid, addressed as follows:

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